

REMARKS

Claims 1-49 are pending. Claims 6-48 are indicated to be allowable. However, claim 1-5 and 49 are rejected.

Claims 6-8 were objected to in the final Office Action mailed March 10, 2004 for not being in independent form, and the same objection is repeated in the present Office Action mailed June 29, 2004. Claim 6 is now put in independent form, merely by including all the limitations of claim 1 as claim 1 stood on March 10, 2004.

Claim 1 Should Be Allowable

Claim 1 was previously rejected as anticipated by *Puuskari* (WO 99/48310), under 35 U.S.C. § 102(e). Therefore, claim 1 was amended. However, claim 1 was then rejected in the present Office Action (mailed June 29, 2004) as obvious under 35 U.S.C. § 103(a) from *Puuskari* in view of GSM 04.60.

GSM 04.60 is specifically mentioned in the present application as originally filed, for example at page 36, lines 20-28 and in the paragraph beginning at line 25 on page 10 of the present application as originally filed. GSM 04.60 was also disclosed by the Applicant in the Information Disclosure Statement dated July 18, 2000. This GSM 04.60 reference was cited against present claim 49 in the Office Action mailed March 10, 2004. GSM 04.60 is now cited against present claim 1.

Applicant wishes to respectfully emphasize that an important object of the present invention is to provide a method in which an application carried over GPRS may trigger a special type of TBF in which the setup and release mode of the TBF may be defined and signaled from the upper layer protocol application to the RLC/MAC layer, in order to participate in the triggering of the TBF control event according to application requirements (see page 17 of the application). Thus, the final limitation of present claim 1 states that the physical connection is not released during an inactive period, but the physical connection is released when the set up of the physical connection is signaled from the application layer to the

lower level (e.g. RLC/MAC) layer. This material of present claim 1 is entirely different from what is described in section 8.1.1.3 of GSM 04.60.

The non-final Office Action asserts (at the bottom of page 3, top of page 4, and at page 6) that the final limitation of present claim 1 is disclosed by GSM 04.60, section 8.1.1.3, third paragraph which states the following:

“An open-ended TBF transfers an arbitrary number of octets. The mobile station is required to send a PACKET RESOURCE REQUEST message for each fixed allocation. Each time the mobile station receives a fixed allocation, if it wishes to continue the TBF, it must then send another PACKET RESOURCE REQUEST to the network. The open-ended TBF ends when the network sends a FINAL ALLOCATION indication in a fixed allocation assignment message or a PACKET ACCESS REJECT message to the mobile station, or when the mobile has exhausted its supply of data to transmit and has executed the countdown procedure.” (emphasis added)

Thus, the TBF connection ends whenever the mobile has run out of data to transmit, and may also end given a FINAL ALLOCATION or a PACKET ACCESS REJECT (even if the mobile still has some data to transmit). This procedure of section 8.1.1.3 thus involves no inactive period, and therefore is very different from the present claimed invention. Applicant respectfully notes that the present application defines inactive periods at page 2 as “periods (no data to be transmitted) between active data transfer periods.”

In contrast to the paragraph of section 8.1.1.3 just quoted, section 8.1.3.2.3 of GSM 04.60 does involve inactive periods. Section 8.1.3.2.3 specifically requires that TBF release procedures be followed in response to the “last RLC block.” The present claimed invention, however, requires not following release procedures during such an inactive period.

The Office Action also cites section 8.1.1.3.2, especially paragraph 4 of that section dealing with high-priority PDUs. That paragraph involves high-priority Logical Link Control (LLC) Packet Data Units (PDU) that need to be sent by switching from one uplink TBF to another. Thus, that section does not deal with any inactive period, because there is always data in need of transmission. Moreover, during the period when the remaining normal-priority PDUs are waiting to be transmitted, the uplink TBF for those normal-priority PDUs has been

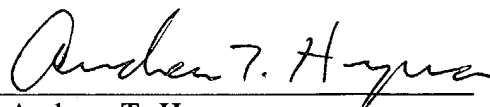
released and must eventually be reestablished, which of course is the exact opposite of not releasing the physical connection.

CONCLUSION

Thus, the Examiner is asked to kindly reconsider the non-final Office Action in the light of the arguments presented herein, and to correspondingly issue a favorable Office Action at the next stage of the proceedings. However, in case the Examiner holds a different view regarding the subject matter of the new version of the claims, a personal consultation with applicant's undersigned representative would be deemed to be helpful. Early allowance of all independent claims (and the pending claims depending therefrom) is earnestly solicited. Applicant would be grateful if the Examiner would please contact Applicant's attorney by telephone if the Examiner detects anything in the present response that might hinder allowance.

Respectfully submitted,

Dated: Aug. 25, 2007



Andrew T. Hyman
Attorney for Applicant
Registration No. 45,858

WARE, FRESSOLA, VAN DER
SLUYS & ADOLPHSON LLP
Building Five, Bradford Green
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955